

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 307.12 and 307A.2, the Iowa Department of Transportation, on December 14, 2016, adopted amendments to Chapter 400, “Vehicle Registration and Certificate of Title,” and Chapter 410, “Special Mobile Equipment,” Iowa Administrative Code.

Notice of Intended Action for these amendments was published in the October 26, 2016, Iowa Administrative Bulletin as **ARC 2780C**.

The amendment to subrule 400.58(1) corrects the maximum speed of a motorized bicycle from 30 miles per hour to 39 miles per hour. The change conforms with the speed limit included in the definition of “motorized bicycle” in Iowa Code section 321.1(40)“b.”

The amendments to Chapter 410 correct the name of the Office of Vehicle and Motor Carrier Services and remove the word “Supplement” from citations to Iowa Code section 321E.12.

These amendments do not provide for waivers. Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

These amendments are identical to those published under Notice of Intended Action.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 321.1 and 321E.12.

These amendments will become effective February 8, 2017.

Rule-making actions:

ITEM 1. Amend subrule 400.58(1) as follows:

400.58(1) Maximum speed. If the department has reasonable cause to believe that a particular vehicle or model is capable of speeds exceeding ~~30~~ 39 miles per hour, the department may conduct independent tests to determine the maximum speed of the vehicle or model. If the department determines that the maximum speed of the particular vehicle or model exceeds ~~30~~ 39 miles per hour, the vehicle or model shall not be registered as a motorized bicycle.

ITEM 2. Amend subrule 410.1(3) as follows:

410.1(3) Questions regarding special mobile equipment may be directed by mail to the Office of Vehicle and Motor Carrier Services, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; or by telephone at (515)237-3264.

ITEM 3. Amend rule 761—410.2(321E), introductory paragraph, as follows:

761—410.2(321E) Special mobile equipment transported on a registered vehicle. The movement of special mobile equipment or component parts of special mobile equipment transported on a vehicle registered for the gross weight of the vehicle without load, as provided in Iowa Code ~~Supplement~~ section 321E.12, is subject to the following:

ITEM 4. Amend rule **761—410.2(321E)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code ~~Supplement~~ section 321E.12.

[Filed 12/14/16, effective 2/8/17]

[Published 1/4/17]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 1/4/17.